

Prison Farm Brutality Charge Is Investigated In Arkansas

Mississippi County Veteran Says He Was Whipped With Heavy Leather Strap Because He Was Slow Picking Cotton

Judge Says He Is Studying Complaints

By ROBERT GRAY

Staff Writer 1-25-53

BLITHEVILLE, Ark., Jan. 24.—County Judge Philip J. Deer, since taking over office Jan. 1, has been investigating complaints of brutality and other irregularities at the Mississippi County prison farm.

This was made known Saturday during an interview with the recently installed official regarding complaints of harsh treatment and unsanitary conditions at the farm, made to The Commercial Appeal.

"During the election campaign last summer there were many stories and charges about conditions at the farm," explained Judge Deer, former supervisor of schools with a strap the first day he in Mississippi County and former was in the field, receiving five president of the Blytheville Rotary blows on three different occasions. Club.

'Clean And In Order'

"One of the first things I did upon taking office was to visit the farm, without announcing that I was coming, and I found the facilities clean and in order. The food was substantial and I was pleased with what I saw."

A Blytheville resident, Jimmy Dozier, who is a veteran of World War II and was awarded the Bronze Star for gallantry in action with an infantry unit in Italy, told a reporter for The Commercial Appeal that he was beaten with a leather strap "about four feet long and four inches wide" while serving 11 days at the penal farm last month.

Dozier said he was whipped by a guard after being unable to keep up with other prisoners while picking cotton.

Asked about the use of leather straps at the farm for disciplining prisoners, Judge Deer said he had seen none.

Promises Further Study

However, he said that he plans to make a further study of conditions at the institution and to make any changes or corrections which are needed.

"Leather straps are not a part of the authorized methods of disciplining the prisoners," he said. "If someone gets out of line or refuses to work, his privileges are taken away and in some cases he would be put on a bread and water diet."

Dozier said he was hit 15 licks ago for a former inmate of the

county farm who had been charged for his clothes and medicine while serving a sentence.

"I filed suit against the county and the case was compromised, with my client being repaid for the expense," Mr. Cooper said.

No Charges Filed

Sheriff William Berryman of Mississippi County said complaints about conditions at the farm "have been made from time to time and spot checks have been made by outside agencies." He also reminded that periodic inspections are made by the county grand jury.

"But these investigations never have resulted in any charges being filed," he explained.

Judge Deer said he does not know whether the prisoners are provided with hot water for taking baths, or whether they are provided with complete outfits of prison clothing upon being confined.

"Some are allowed to wear civilian clothes while working inside," he said.

He did invite this reporter to "come back in about six weeks and we will make a complete tour of the farm," which suggests that he plans to make improvements in conditions at the prison.

The farm is located west of Highway 61, about 16 miles southwest of Blytheville, and is devoted almost entirely to production of cotton and soybeans. Some hogs and cattle are raised and used to help feed the prisoners.

Struck While Down

He quoted the guard as saying "Well, you . . ., I will teach you today."

Dozier said while at the farm he saw a Negro prisoner beaten until he fell to the ground, was struck more blows while down, and forced to continue working in bloodstained clothes.

C. S. Baggett, a Blytheville citizen for 32 years and former school teacher here, said he had heard "many reports" of brutality at the farm and is "anxious to have this inhuman treatment stopped."

Mr. Baggett, who operates the Lost Boy Tourist Court and owns other property here, spoke highly of Judge Deer.

"He is a good man and I hope he will correct these conditions," Mr. Baggett declared.

A prominent Blytheville criminal lawyer, Claude F. Cooper, said he had heard "numerous stories" about brutality at the farm, but had not actually seen such conduct.

Mr. Cooper told of a case which he handled "two or three years ago" for a former inmate of the

Prison Guard Facing Trial For Brutality

CANTON, Ga.—A prison camp guard, who shot four Negro inmates reportedly "without cause," faces an indictment for assault by the Cherokee County grand jury.

The guard, Jim Berry, told superiors that he shot the men because they refused to work.

The wounded men, all of whom received hospital treatment on May 23, and were released later, were identified as Andrew Bradley, Jake Jordan, Roy Mathis and Charley Freeman. One suffered a broken arm.

A FULL PROBE of the case followed preliminary investigation by NAACP field secretary C. T. Perkins of Atlanta.

R. E. Warren, director of the state prison camp system, revealed his request for an indictment of the guard, who was jailed in Canton. It was understood that Cherokee Solicitor H. S. Vandiver pledged full prosecution.

Cherokee County Sheriff Clarence Huey confirmed that the guard was held for investigation on the alleged assault charge.

The grand jury ordinarily meets in September.

Rights Case Remanded By U. S. Supreme Court

WASHINGTON, D. C. (NNPA) — The United States Supreme Court last Monday remanded to the Fifth United States Circuit Court of Appeals at New Orleans a civil rights case involving the whipping of prisoners by officers in a Florida state prison.

The court acted upon its power to remand cases to Federal appeals courts if it thinks an appeal should have been taken to such courts.

The government had appealed directly to the Supreme Court from the dismissal by Judge William Barker of Tampa, Fla. of a two-count indictment charging P. P. Jones, a convict captain, with violations of the Federal Civil Rights Act.

THE INFORMATION charged that Jones had certain prisoners in his custody, that each of prisoners had violated prison rules by escaping, and that Jones had whipped them.

It also charged that he had whipped the prisoners to coerce information from them on supposed, undesignated offenses or infractions of prison rules.

Judge Barker held that a state convict captain, having custody of prisoners serving sentences as convicted felons, violated no federal law by whipping them for violating prison rules. He ruled that no right secured or protected by the Federal Constitution was involved and that the Federal District Court was without jurisdiction to try the case. He dismissed the charges against Jones.

ON APPEAL TO THE Supreme Court, the government asked for reversal of Judge Barker's decision on the ground that the information charges far more than he found it charged.

The government construed the information to charge that Jones wilfully extorted confessions of violations of prison rules from the prisoners and wilfully inflicted illegal summary punishment upon them, in violation of the laws of Florida and the Federal Constitution.

IN AN UNSIGNED OPINION, the Supreme Court pointed out

that it may only entertain questions relating to the construction of the Federal Civil Rights Act, and its applicability to the charges.

"We cannot re-examine the information and construe it de novo (anew) for we are bound by the District Court's construction," the opinion stated.

The court added, however, that it thought the case was appropriate for the exercise of its discretion to remand the case to the Court of Appeals if it believes that an appeal should have been taken to a court of appeals.

THE CRITICAL ISSUE, raised by the government's appeal, the opinion said, "obviously involves questions relating to the correctness of the District Court's construction of the information and not to that court's interpretation of the scope of the Civil Rights Act."

The opinion said those questions can be reviewed after a decision by the Fifth Court of Appeals.

Probe Beating Of La. Convicts

BATON ROUGE, La. — Warden Maurice Sigler said last Thursday he had ordered a probe of charges that two convicts were beaten by a white camp captain and that a white inmate storekeeper was living a life of luxury at the St. Gabriel Prison Farm.

The warden said the investigation began after he had questioned some 88 prisoners at the 2,000-acre cattle and crop plantation of Negro convicts. The prison farm is located on the banks of the Mississippi River about 25 miles south of Baton Rouge.

St. Gabriel is a subdivision of the main penitentiary at Angola, about 75 miles northwest of Baton Rouge. Angola has also figured in the news with charges of cruelty to convicts.

The St. Gabriel charges came

to light when Negro convicts wrote a letter to the New Orleans States, a daily newspaper.

Probers Told of Beatings

ST. GABRIEL, La. — A thorough cross-questioning of men in the St. Gabriel State Prison here last week revealed untold cases of brutality and abuse to Negro prisoners mainly by prison farm boss Kilo Thames, captain of the prison farm, and Penitentiary Warden Maurice Sigler, who questioned the prisoners, demanded an immediate probe of conditions at St. Gabriel.

A total of eighty-eight prisoners was questioned by Warden Sigler. Most of the men questioned reportedly quoted Boss Thames as declaring that "the only time a 'N—r' is good is when he is hanging by a rope." He also repeatedly cursed them, the prisoners declared.

The most glaring example of brutality was given by Varnel Vaughn, New Orleans, who is serving six years for the theft of a pocketbook. Vaughn complained of being ill following his contribution to a blood bank program. However, he said, Thames struck him on the head and he was shoved into the prison's bread and water confinement cell. Thames claimed Vaughn "sassed" him.

Horace Holmes, Shreveport, serving six years for simple burglary, said Thames struck him four times last week because he "almost caused one of his dogs to get killed."

Other prisoners charged that Harry Widger, white, a confessed New Orleans murderer, is living a life of ease and com-

fort outside the fenced-in compound. They said Widger had civilian clothing, read all the incoming and outgoing mail, and ran the camp store where he charged exorbitant prices for articles.

Vaughn was also allegedly struck by one of Thames' pushers (a convict guard who supervises a work detail). As a result of this blow a vein in his left leg was bruised and the muscle drew up, causing him to walk with a stick. Doctors at Charity Hospital, New Orleans, who examined Vaughn, said there might be something wrong with a blood vessel.

PRISONER DEATH BEING PROBED

Skull Fracture Termed
Cause of Demise

The death of a Negro prisoner who had been confined in a police cell in the Sixth District station was under investigation Saturday by the police homicide squad.

The man, Herman Francois, 36, 219 Pine, died at Charity hospital at 6:35 a. m. Saturday shortly after he had been admitted from the police station. The Orleans parish coroner's office said death resulted from a skull fracture.

Sixth District police said that Francois was arrested from a bathroom at Loyola and Simon Bolivar about 10 p. m. Friday after he had entered the place and had asked for a headache powder. The barmaid reported that he was bleeding about the face.

When the man was taken into custody, police said, a Charity hospital ambulance was summoned and he was pronounced in good condition by the attending physician. When the physician said he was drunk, police said, Francois was booked with simple drunkenness.

After unsuccessful attempts were made to rouse Francois at the district station cell, police said, another Charity hospital ambulance was summoned. He was taken to the hospital, where he died a short while later.

Police expressed the opinion that Francois, a deaf mute, had been involved in a fight a short

while before he came into the barroom.

Seventeen La. Convicts Slash Arms Again

ANGOLA, La. — A repeat performance happened at the state penitentiary here, when 17 convicts cut their arms to keep from working, last Saturday.

According to Warden Maurice Sigler, the convicts cut their arms last August to keep from working. The warden described the men as "aggressive homosexuals and psychopaths."

The convicts have been placed in solitary cells and will stand trial before the prison's disciplinary board.

Beginning Saturday when six of the Negroes refused to work in the prison cotton field, they were joined by 11 others who broke light bulbs in their cells at the new hospital. They used the glass fragments to inflict "superficial cuts on their arms," a spokesman said.

FIVE LOUISIANA STATE TROOPERS CHARGED WITH KILLING NEGRO TRUSTY AT BATON ROUGE

Handy Man Dies Following Brutal Assault With Heavy Piece of Timber

MINISTER TESTIFIES TO GOOD CHAR- ACTER OF MURDERER

(By James B. LaFourche)

BATON ROUGE, La. — (ANP) — Almost five years ago, a state trooper was accused of killing a Negro trusty from the state penitentiary.

The trooper, S. T. Brister, was said to have clubbed to death Charles David Richardson.

Today, he is being tried on a would bat at his arm every time civil rights charge of depriving he would make a motion at me. the victim of his constitutional. Finally I hit him, he fell. All I rights without due process of law, wanted to do was to make him

Richardson worked as a handy-comply with the rules," Brister man around the police barracks said that Richardson had been and died June 24, 1948, a day drinking, but was not drunk.

after witnesses say they saw Brister. Willie Tucker testified for the ter who hit the dead man with government and said that Brister a heavy piece of wood. threw a bottle at Richardson and

Brister contended, "I did not as the trusty tried to raise him- mean to kill him, if I did I could self from the ground, Brister have pulled out my gun and shot struck him with the wood. him."

Defense counsel for Brister filed the latter had "a huge knot" over a motion for a directed verdict of his right eye after the struggle.

acquittal, but Federal Judge Dan A minister testified as a charac- Thomas of Mobile, Ala., denied it. ter witness and said that Brister

On the stand in defense of him, had an "excellent reputation" in self, Brister painted the victim as the community.

a "dangerous" man. He insisted Following the killing of Richard- that he struck Richardson "to son, Brister was suspended from keep him from getting at me." the force. Reason given for the

Government witnesses had a delay in the trial was, the U. S. different story to tell. They told district attorney at that time who that Brister reprimanded his vic- filed the case, was appointed a U. tim about returning from town. S. District Court judge. He is

Brister said that he told Judge J. Skelley Wright. Richardson that he was to have reported to the prison office, whereon Richardson replied that, "I'm not reporting to anybody but you."

When he insisted that he comply with the rules, Brister said Richardson struck at him twice, stumbled and fell.

Brister said the weapon used by Richardson was a Coca Cola bottle which later fell from his hand.

"After that he grabbed a two by four, got hold of it and was striking at me all the time. I

RIOT STARTED BY FIFTY NEGRO WOMEN PRISONERS IN MARYLAND

Dispatch 1-3-53
Inmates Throw Furniture, Crockery and
Kitchen Utensils at State Police

THREE MATRONS HIDE IN BATH ROOM FROM FURY

BALTIMORE, Md. — (ANP) — Fifty Negro women prisoners at the woman's reformatory at Jessups, Md. last week rioted against state troopers and prison guards for two hours until several contingent of guards and troopers stormed their barricaded stronghold and subdued them.

Putting up a fierce battle, the women from a cottage-type dormitory building threw broken furniture, crockery and kitchen utensils at the police. the first serious outbreak in the reformatory since it was built in 1939.

After vainly trying to calm the rioting prisoners, three white matrons took shelter behind the locked doors of bathrooms in the building. After an hour the rioters permitted the matrons to leave the bathroom.

The trouble started when a woman was transferred from the Crownsville State hospital for the mentally ill to the reformatory.

Miss Alice Blum, superintendent of the reformatory, said the woman tried to injure herself, fought off attendants and locked herself in a room. Male guards from the nearby House of Correction, called to the scene, used tear gas to bring her under control.

The women prisoners in a cottage 50 yards away egged the woman on by shouting words of encouragement and cursed the guards. Soon the women calmed down but when they did not receive breakfast the next morning, they began screaming, stomping and shouting.

Barricading themselves, the women dared the guards and troopers to enter the building. When the second contingent of 13 troopers, arrived to reinforce the first four troopers and more than a score of guards, an attempt was made to storm the barricaded building. But law enforcers were driven back by the barrage of missiles hurled at them by the women.

Finally they used a fire hose to subdue the women. The riot was

Ex-Delta Detective Says He Not Guilty Alone In Beatings

GREENVILLE, Miss. (Special) — In an interview with a Greenville newsman, Charles R. Underwood, former private investigator now serving a six-month sentence on a charge of beating three Negro murder suspects at Indianola in July, 1951, said he was not the only person guilty in the case.

He said that he would reveal the name of the "responsible person" who ordered the beatings and conducted them, along with proof and witnesses, to the Federal Bureau of Investigation.

The incident, which received nation-wide publicity, occurred during the term of Sheriff George Marshall and involved three Negroes accused of murdering a Negro named Robert McKinney, discovered to be very much alive shortly after "confessions" were extorted from the three.

"I am guilty only of being present during the beatings and for not doing something about it, but I did not lay a hand on a one of them; I am not a sadist," Underwood said.

"I have notified the FBI that I have four Negroes and two white witnesses to back up my statement.

"I do not intend to hurt anyone, but I have suffered enough and as long as the person who is responsible for the beating of the three murder suspects has not lost a night of sleep, I feel he should be held accountable."

Underwood, a one-time detective, said he had brought about "26 convictions in Bolivar, Sunflower and Leflore counties while working in the three counties as a private investigator."

Serving time at the Sunflower Penal Farm now, Underwood was previously turned over to Illinois authorities to serve 11 months for a parole violation.

Investigate Killing of Young North Carolina Convict In State Prison Camp

Raleigh, N. C. — State Prison Director Walter Anderson this week is investigating the fatal shooting of a young Negro convict in a prison camp at Ayden last Friday.

The state prison head is seeking to determine who it was who fired the shot that killed 24-year-old Martin Chudnick, a native of Brooklyn, N.Y. during a struggle at the camp. The youth died of the wound two days after Friday's struggle in which a home-made dagger and the weapon from which the fatal shot was fired figured.

Chudnick, whose criminal record stretches across the entire country, was serving a sentence in the camp following arrest in September, 1951 on a robbery with firearms charge. He was doing a 5 to 8 years stint.

On the day of the fatal shooting, Chudnick reportedly had been brought in from a road gang where he had been creating a disturbance. He was confined to a cell pending conference with the camp superintendent.

When he was ordered out of the cell to confer with the camp head, he refused to budge. Instead preliminary investigation shows, he drew a homemade dagger and threatened to hurt anyone who approached him.

A struggle followed when guards attempted to remove the man from the cell by force and the shooting occurred. An inquest was delayed until Prison Director Anderson could arrive upon the scene.

Chudnick, according to prison records, had a long record as a criminal, stretching all the way from his native New York to California. His arrest in 1951 was in Forsyth County.

Passage Of The Chain In Virginia Road Camps

Journal and Guide
The chain, symbol of inexpensive labor on the highways of the State of Virginia, is gone. Permanent road camps to house prisoners have done away with the necessity for guarding against escape through use of ankle iron and "bull chains", reminders of punitive devices used to harness men in slave ships.

Authorities have long said that the chain was only a security measure, but it has always seemed that the modern day concept of rehabilitating men while confined for their misdeeds was thwarted in part by the necessity for chaining them during the night.

With the passage of the chain there comes to an end in prison history an era which included an iron rule, and a type of penal system which not only removed the prisoner from society bodily, but often removed his spirit to the point that he was a menace when once again set free.